

Sentence Review Division
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Helena, MT 59620-3005
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SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,)	Cause No. DC-18-031
)	
Plaintiff,)	Blaine County District Court
)	Montana Seventeenth Judicial District
)	
-vs-)	DECISION
)	
KEVIN DEAN TRUMBLE II,)	
Defendant.)	

On May 28, 2018, the Defendant was sentenced for Count I: Partner or Family Member Assault, 3rd or Subsequent Offense, to the Department of Corrections for five (5) years, with no time suspended. He was ordered to pay a \$1500 fine. The Defendant was given credit for time served of 177 days and monetary credit against the fine at \$70 per day, which eliminated the fine. Count II: Unlawful Transaction with Children, a misdemeanor, was dismissed.

On November 7, 2019, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant appeared by video conferencing from the START program and was represented by Stephanie DeBoer, Defense Counsel. The State was not represented. Victim Jazzmine Morin listened to the hearing by speaker phone.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

Done in open Court this 7th day of November, 2019.

DATED this 11th day of December, 2019.

SENTENCE REVIEW DIVISION



Hon. Brenda Gilbert, Chairperson



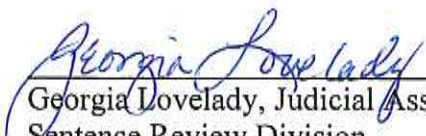
Hon. Dan Wilson, Member



Hon. Luke Berger, Member

Copies mailed this 13th day
of December, 2019, to:

Clerk of District Court (Original)
Kevin Dean Trumble II #3009384, Defendant (2)
Hon. Yvonne Laird
Stephanie DeBoer, Defense Counsel
Kelsi Harwood, Esq.
Board of Pardons and Parole
MSP - Records Dept.


Georgia Lovelady, Judicial Assistant
Sentence Review Division